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Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number **Application Number** 10/659.451 Filing Date TRANSMITTAL 09/09/2003 First Named Inventor **FORM** Maria Villani Art Unit 1615 Examiner Name David L. Vanik (to be used for all correspondence after initial filing) Attorney Docket Number 51331-00004 US Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): Request for Refund **Express Abandonment Request** 1. IDS Articles; 2. Copy of the ISR; and CD, Number of CD(s) \_ Information Disclosure Statement 3. Postage paid postcard. Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Preston Gates & Ellis LLP Signature Printed name Michelle S. Glasky, Ph.D Reg. No. Date 54,124

	CERTIFICATE OF TRANSMISSIO	N/MAILING
I hereby certify that this sufficient postage as firs the date shown below:	correspondence is being facsimile transmitted to the USPTO of t class mail in an envelope addressed to: Commissioner for P	or deposited with the United States Postal Service with latents, P.O. Box 1450, Alexandria, VA 22313-1450 on
Signature	Maria Nadal	
Typed or printed name	March Madal	Date 9/27/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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I hereby certify that on 957, this paper (along with any paper referred to as being attached or enclosed) is being transmitted via mail to the United States Postal Service with sufficient postage to in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Maria Nadal

**PATENT** 

Inventor: Maria Villani Serial No.: 10/659,451 Filing Date: 09/09/2003

Title: Porifera-Based Therapeutic

Compositions for Treating and

Preventing Skin Diseases

Examiner: David L. Vanik

Group Art Unit: 1615

Atty Docket No.: 51331-00004 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56. 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§609 and 707.05(b), enclosed is a copy of the substitute for FORM PTO-1449 listing the references that are known to applicant. Applicants enclose copies of each of the listed references which are not U.S. patents.

This art is being filed for consideration in compliance with § 1.97(e):

37 C.F.R. § 1.97 (e)(1) That each item of information contained in the information disclosure statement was first cited in a communication from the International Search Report not more than three months prior to the filing of the information disclosure statement.

The submission of the above-described documents does not constitute an admission nor should it be construed as a representation that: a search has been made, or that it is material to patentability as defined in § 1.56(b).

PATENT 51331-00004

Applicant: Maria Villani Serial No.: 10/659,451 Group Art Unit: 1651

Applicant reserves the right to antedate or otherwise remove the documents as references.

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of the substitute for FORM PTO-1449 be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

The Director is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3207 associated with this response.

Respectfully submitted,

Dated: 92105

Michelle S. Glasky, Ph.D. Registration No. 54,124

PRESTON GATES & ELLIS LLP 1900 Main Street, Suite 600 Irvine, California 92614-7319 Telephone: (949) 253-0900 Facsimile: (949) 253-0902

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Substitute for form	1449A/PTO			Comple	ete if Known
OIPE				Application Number	10/659,451
21	FORMATION	I DISCLOSUF	RE	Filing Date	09/09/2003
SEP 2.9 2005 STATEMENT BY APPLICANT				First Named Inventor	Maria Villani
				Group Art Unit	1651
	(use as many she	ets as necessary)		Examiner Name	David L. Vanik
THE STREET	1	of	2	Attorney Docket Number	51331-00004 US

	U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.1	Document Number  Number-Kind Code <sup>2 (if known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US -2004/0109872	06/10/2004	Villani		
		US -5,538,740	07/23/1996	Abad		
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FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	T⁵
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.4. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form	n 1449A/PTO			Comple	ete if Known
				Application Number	10/659,451
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STATEMENT BY APPLICANT				First Named Inventor	Maria Villani
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Sheet	2	of	2	Attorney Docket Number	51331-00004 US

Include name of the author (in CARITAL LETTERS) title of the article (when appropriate) title of the			NON PATENT LITERATURE DOCUMENTS	
SWATSCHEK, D. Marine sponge collagen: isolation, characterization, and effects on the skin parameters surface-pH, moisture and sebum. European J. Pharmaceutics and Biopharmaceutics. January 2002. Vol. 53 Issue 1, pp 107-113, abstract only  SWATSCHEK, D. Microparticles derived from marine sponge collage (SCMPs): preparation, characterization and suitability for dermal delivery of all-0trans retinol. European J. Pharmaceutics		Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
January 2002. Vol. 53 Issue 1, pp 107-113, abstract only  SWATSCHEK, D. Microparticles derived from marine sponge collage (SCMPs): preparation, characterization and suitability for dermal delivery of all-0trans retinol. European J. Pharmaceutics			SWATSCHEK, D. Marine sponge collagen: isolation, characterization, and effects on the skin	
SWATSCHEK, D. Microparticles derived from marine sponge collage (SCMPs): preparation, characterization and suitability for dermal delivery of all-0trans retinol. European J. Pharmaceutics			parameters surface-pH, moisture and sebum. European J. Pharmaceutics and Biopharmaceutics.	
characterization and suitability for dermal delivery of all-0trans retinol. European J. Pharmaceutics			January 2002. Vol. 53 Issue 1, pp 107-113, abstract only	
characterization and suitability for dermal delivery of all-Utrans retinol. European J. Priarmaceutics and Biopharmaceutics. September 2002, Vol. 54. Issue 2, pp 125-133, abstract only.			SWATSCHEK, D. Microparticles derived from marine sponge collage (SCMPs): preparation,	
and Biopharmaceutics. September 2002, Vol. 54. Issue 2, pp 1/25-135, abstract only.			characterization and suitability for dermal delivery of all-utrans retinol. European J. Pharmaceutics	
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